

BOARD OF APPEALS CASE NO. 4830

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BEFORE THE

APPLICANTS: Clyde & Oleita Hall

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ZONING HEARING EXAMINER

**REQUEST: Variance to construct an
addition within the required front yard
setback in the B3 District;
3525 Conowingo Road, Street**

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OF HARFORD COUNTY

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Hearing Advertised

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Aegis: 8/12/98 & 8/19/98

HEARING DATE: September 30, 1998

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Record: 8/14/98 & 8/21/98

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ZONING HEARING EXAMINER'S DECISION

The Applicants, Clyde and Oleita Hall, are requesting a variance from the required 25 foot front yard setback in a B3 District.

The subject parcel is located at 3525 Conowingo Road in the Fifth Election District. The parcel is identified as Parcel No. 261, in Grid 1-C, on Tax Map 27. The parcel contains 1.04 acres, more or less, all of which is zoned B3.

Ms. Angela Winslow appeared and testified that she is part owner of the business located on the subject property. The witness said the property has been used for approximately 30 years as a furniture store and the Applicant is proposing enclosing an existing porch and adding and additional 6 feet to the front in order to increase the size of the store. The witness said the subject parcel is unique because of the configuration of the building and the unusual shape of the parcel. The witness said that denial of the variance will cause practical difficulty because the most desirable area for expansion is towards the front of the store. The witness testified that parking will not be permitted in front of the store and that the Applicant will comply with whatever requirements are requested by the State Highway Administration.

The Staff Report of the Department of Planning and Zoning recommends conditional approval.

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CONCLUSION:

The Applicant is requesting a variance to Section 267-39(B), Table XII, of the Harford County Code, to construct an addition within the required 25 foot front yard setback.

The Applicant has proposed enclosing the front porch and adding an additional 6 feet to the existing furniture store. The Applicant's witness indicated that if the variance is approved, they will maintain a 15 foot front yard setback. The witness said the subject parcel is unique because of its unusual shape and the configuration of the building on the parcel. The witness also testified that denial of the variance would cause practical difficulty and that the variance would not be substantially detrimental to adjacent properties or materially impair the purpose of the Code.

It is the finding of the Hearing Examiner that the subject parcel is unique for the reasons stated by the Applicant. Therefore, it is the recommendation of the Hearing Examiner that the requested variance be approved, subject to the following conditions:

1. The Applicants shall obtain all necessary permits and inspections for the proposed addition.
2. If the addition necessitates the relocation of the existing sign, the sign must conform to today's requirements and a permit must be obtained.
3. An access permit must be obtained from the State Highway Administration and any road modifications must be coordinated with that agency.
4. The mobile home/storage trailer located on the parcel must be brought into compliance with the Harford County Code.
5. The Applicant shall maintain a minimum 15 foot front yard setback.

Date OCTOBER 19, 1998

L. A. Hinderhofer
Zoning Hearing Examiner